



Brenda Sullivan, Clerk-Treasurer

**CITY COUNCIL MEETING  
CITY HALL  
TUESDAY, DECEMBER 13, 2011  
6:00 O'CLOCK P.M.**

**I. Meeting Called to Order**

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes
- E. Special Presentation

**II. Unfinished Business Requiring Council Action**

- A. Reading of a Resolution entitled "RESOLUTION NO.\_\_\_\_\_, 2011, RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA APPROVING ISSUANCE OF TAX INCREMENT REVENUE BONDS OF THE CITY OF COLUMBUS REDEVELOPMENT DISTRICT." Ed Curtin.
- B. Reading of a Resolution entitled "RESOLUTION NO.\_\_\_\_\_, 2011, RESOLUTION APPROVING THE PROPOSED BUDGET OF THE UTILITY SERVICE BOARD AS PRESENTED TO THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA." Keith Reeves.
- C. Second Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_\_, 2011, AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY." (Redevelopment Commission 2<sup>nd</sup> Street Vacation) Jeff Bergman.

### **III. New Business Requiring Council Action**

- A. Reading of a Resolution entitled "RESOLUTION NO. \_\_\_\_\_, 2011, RESOLUTION AUTHORIZING THE MAYOR AND THE CLERK-TREASURER TO EXECUTE STATEMENT OF BENEFIT FORMS IN CONJUNCTION WITH AN APPLICATION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1-7." (Capco, LLC) Jim Clouse.
- B. Reading of a Resolution entitled "RESOLUTION NO. \_\_\_\_\_, 2011, RESOLUTION APPROVING A WAIVER OF NONCOMPLIANCE FOR AN INCOMPLETE SB-1 AND INCOMPLETE APPLICATION FOR PROPERTY TAX ABATEMENT PURSUANT TO INDIANA CODE 6-1.1-12.1-11.3 FOR OSR, INC." Jim Clouse.
- C. First Reading of an Ordinance entitled "ORDINANCE NO. \_\_\_\_\_, 2011, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2011. (Fire and Police Pension) Brenda Sullivan.

### **IV. Other Business**

- A. Standing Committee and Liaison Reports.
- B. Next regular meeting is scheduled for Tuesday, January 3, 2012 at 6:00 o'clock P.M. in City Hall.
- C. Adjournment.



## MEMORANDUM

**TO:** Columbus City Council Members  
**FROM:** Jeff Bergman  
**DATE:** December 13, 2011  
**RE:** VAC-11-02 (*Redevelopment Commission 2<sup>nd</sup> Street Vacation*)

Please recall that at your September 6, 2011 meeting the Council considered a request from the Columbus Redevelopment Commission to vacate a portion of the platted 2<sup>nd</sup> Street right-of-way that extends west of the intersection with Lindsey Street (approximately 130 feet from Lindsey Street to the bank of the East Fork of the White River). As a reminder, there is no actual street at this location, with the pavement for 2<sup>nd</sup> Street stopping at Lindsey Street. The Redevelopment Commission has indicated that the purpose of the vacation is to combine the area with the property to the south (the site of the former Senior Center and proposed future restaurant).

The Council placed the matter in proper channels and the applicant was instructed to proceed with the preparation of the administrative subdivision necessary to document the vacation. The Columbus Redevelopment Commission has completed that task and this matter is ready for 2<sup>nd</sup> reading before the Council.

A copy of the plat prepared by the Columbus Redevelopment Commission is attached to this memo for your reference. The plat is currently under review by the Planning Department.

Please feel free to contact me with any questions you may have.

RESOLUTION NO. \_\_\_\_\_, 2011

**RESOLUTION AUTHORIZING THE MAYOR AND  
THE CLERK-TREASURER TO EXECUTE STATEMENT  
OF BENEFIT FORMS IN CONJUNCTION WITH  
AN APPLICATION FOR TAX ABATEMENT IN  
A PREVIOUSLY DESIGNATED ECONOMIC  
REVITALIZATION AREA PURSUANT  
TO INDIANA CODE 6-1.1-12.1-7**

*WHEREAS*, the Common Council of the City of Columbus, Indiana, has previously designated, through various prior Resolutions, certain portions of the City of Columbus, Indiana, to be known as economic development target area as contemplated pursuant to **INDIANA CODE 6-1.1-12.1-7**; and

*WHEREAS*, **INDIANA CODE 6-1.1-12.1-1, et seq.** provides that the Common Council of the City of Columbus, Indiana, approve the Statement of Benefits form associated with the application in conjunction with personal and real property tax abatement areas previously designated as an economic revitalization area; and

*WHEREAS*, **CAPCO, LLC** desires and seeks tax abatement associated with the proposed purchase of personal property as contemplated by **INDIANA CODE 6-1.1-12.1-7**; and

*WHEREAS*, the Common Council of the City of Columbus, Indiana, finds that:

- a. The estimate of the value of the proposed purchase of new manufacturing equipment is reasonable for equipment of that nature;
- b. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed purchase and installation of new manufacturing equipment;
- c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed purchase and installation of new manufacturing equipment;
- d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed purchase and installation of new manufacturing equipment;
- e. The deduction allowed for the proposed purchase and installation of new manufacturing equipment pursuant to **INDIANA CODE 6-1.1-12.1-4** shall be allowed for ten (10) years;
- f. The totality of benefits is sufficient to justify the deduction; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana, deems it to be in the best interest of the City of Columbus, Indiana, in order to stimulate economic development and provide for additional jobs, that such personal property tax abatement be granted; and

**WHEREAS**, CAPCO, LLC has submitted for purposes of review by the Common Council of the City of Columbus, Indiana, a Statement of Benefits form, a copy of which is attached hereto and made a part hereof as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Columbus, Indiana, that:

1. The Common Council of the City of Columbus, Indiana, finds that:
  - a. The estimate of the cost of the proposed purchase and installation of new manufacturing equipment is reasonable for equipment of that nature; and
  - b. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed purchase and installation of the new manufacturing equipment;
  - c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed purchase and installation of new manufacturing equipment;
  - d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed purchase and installation of new manufacturing equipment;
  - e. The deduction allowed for the proposed purchase and installation of the new manufacturing equipment pursuant to **INDIANA CODE 6-1.1-12.1-4** shall be allowed for ten (10) years;
  - f. The totality of benefits is sufficient to justify the deduction;

The Mayor of the City of Columbus, Indiana, and the Clerk-Treasurer of the City of Columbus, Indiana are hereby authorized by the Common Council of the City of Columbus, Indiana, to execute the statement of benefit form attached hereto as Exhibit A for purposes of facilitating the personal property tax abatement of the applicant herein.

Resolution No. \_\_\_\_, 2011  
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***ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA***, on this the  
day of December, 2011, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer of the  
Common Council

ATTEST:

\_\_\_\_\_  
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this \_\_\_\_ day  
of December, 2011 at \_\_\_\_ o'clock \_\_\_\_ M.

\_\_\_\_\_  
Clerk-Treasurer

Approved and signed by me this \_\_\_\_ day of December, 2011, at  
\_\_\_\_ o'clock \_\_\_\_ M.

\_\_\_\_\_  
Mayor of the City of  
Columbus, Indiana

RESOLUTION NO. 2011

RESOLUTION APPROVING A WAIVER OF NONCOMPLIANCE  
FOR AN INCOMPLETE SB-1 AND INCOMPLETE  
APPLICATION FOR PROPERTY TAX  
ABATEMENT PURSUANT TO  
INDIANA CODE 6-1.1-12.1-11.3  
FOR OSR, INC.

*WHEREAS*, the Common Council of the City of Columbus, Indiana, has previously designated, through various prior Resolutions, certain portions of the City of Columbus, Indiana, to be known as economic development target area as contemplated pursuant to INDIANA CODE 6-1.1-12.1-7; and

*WHEREAS*, INDIANA CODE 6-1.1-12.1-1, et seq. provides that the Common Council of the City of Columbus, Indiana, approve the statement of benefits forms associated with the application in conjunction with personal and real property tax abatement areas previously designated as an economic revitalization area or economic development target area; and

*WHEREAS*, on the 5th day of June, 2007, Common Council of the City of Columbus, Indiana, approved through Resolution No. 26-2007, tax abatement for **OSR, Inc.** associated with the purchase and installation of personal property as contemplated by INDIANA CODE 6-1.1-12.1-7; and

*WHEREAS*, **OSR, Inc.** has filed incomplete tax return deduction schedules for 2008 pay 2009, 2009 pay 2010, and 2010 pay 2011; and

*WHEREAS*, the circumstances causing the incomplete tax return deduction schedules was an unusual occurrence; and

*WHEREAS*, **OSR, Inc.** requests that the Common Council of the City of Columbus, Indiana waive its non-compliance for failure to file complete deduction schedules, and allow OSR, Inc. to enjoy the full benefit of the Resolution 26-2007 abatement as originally approved.

*NOW, THEREFORE, BE IT RESOLVED*, by the Common Council of the City of Columbus, Indiana, that:

1. The Common Council of the City of Columbus, Indiana, after conducting a public hearing on the request for waiver for OSR, Inc.'s non-compliance, now finds the failure was reasonable, and hereby waives all errors and omissions that are waivable under State and local law including without limitation, errors and omissions described in I.C. 6-1.1-12.1-11.3
2. As authorized by I.C. 6-1.1-12.1-9.5(d), the Common Council will permit OSR, Inc. to receive any lost ERA deduction amount.

Resolution No. \_\_\_\_\_, 2011

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3. This Resolution shall be in full force and effect from and after its passage.

***ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA***, on this the \_\_\_\_\_ day of December, 2011, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer of the  
Common Council

ATTEST:

\_\_\_\_\_  
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this \_\_\_\_\_ day  
of DEcember, 2011 at \_\_\_\_\_ o'clock \_\_\_\_\_ .M.

\_\_\_\_\_  
Clerk-Treasurer

Approved and signed by me this \_\_\_\_\_ day of December, 2011, at  
\_\_\_\_\_ o'clock \_\_\_\_\_ .M.

\_\_\_\_\_  
Mayor of the City of  
Columbus, Indiana



ORDINANCE NO. \_\_\_\_\_, 2011

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION  
OF FUNDS FOR THE BUDGET YEAR 2011**

WHEREAS, the Indiana General Assembly, has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and,

WHEREAS, with regard to the use of certain amounts in the 1937 Police and Fire Pension Funds, Indiana Code Section 36-8-7-9.5(b) states that a local board may authorize the use of money in those pension funds to pay any or all of the following: (1) The costs of health insurance or other health benefits provided to members, survivors, and beneficiaries of the 1937 pension funds.

WHEREAS, the *Indiana Association of Cities and Towns the 2011 City and Town Budget Bulletin* states on page 30 under Allowable Uses of Pre 1977 Police and Fire Pension Fund Cash Balances that the cost of health insurance and other health benefits provided to members, survivors, and beneficiaries of the 1925 fund are an allowable use of those funds;

WHEREAS, the funds are available from the two (2) 1937 Pension Funds, known as the Police Pension Fund for the City of Columbus, Indiana and the Fire Pension Fund for the City of Columbus, Indiana to reimburse the Insurance Non-Reverting Fund for medical claims previously paid in the calendar year 2011;

WHEREAS, the insurance claims paid in the calendar year 2011 have been determined for January, 2011 through November, 2011 and an estimate made for December, 2011 and these funds must be appropriated and moved into the Insurance Non-Reverting Fund for the City of Columbus, Indiana;

NOW THEREFORE BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA that the Columbus City Clerk-Treasurer is authorized to pay up to but not exceed the sum of One Hundred Ten Thousand Dollars (\$110,000) depending on outstanding claims to be paid in December, 2011 from the Police Pension Fund for the City of Columbus, Indiana and up to but not to exceed the sum Three Hundred Sixty Five Thousand Dollars (\$365,000) from the Fire Pension Fund for the City of Columbus, Indiana depending on outstanding claims to be paid in December, 2011, and the same is hereby appropriated and ordered to be paid for reimbursement of medical claims from those Funds to the Insurance Non-Reverting Fund for the City of Columbus, Indiana, and for the purposes herein specified to the laws governing the same.

It is as follows:       **FROM**

Fire Pension    801-050-304    \$ 365,000

Police Pension 802-050-304    \$ 110,000

**TO**

Insurance Non-Reverting Fund # 273

This Ordinance shall be in full force and effect from and after its passage and approval according to the laws of the State of Indiana.

ADOPTED, by the Common Council of the City of Indiana, this \_\_\_\_\_ day of December, 2011 at \_\_\_\_\_ o'clock P.M. by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Brenda Sullivan  
Clerk Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of December, 2011 at \_\_\_\_\_ o'clock P.M.

\_\_\_\_\_  
Fred L. Armstrong  
Mayor of the City of Columbus, Indiana